

REMARKS

Claims 1-32 remain pending in this application for which applicant seeks reconsideration.

Amendment

Claims 1, 2, 11, 12, 21, 22, 31, and 32 have been amended to improve their form and clarity, namely to overcome the § 112 rejection. The examiner rejected these claims under 35 U.S.C. § 112, second paragraph, because they do not clearly recite the source of the document. In this respect, each of independent claims 1, 11, 21, 31, and 32 has been amended to clarify that the document is received from one of the external devices, which is the transmission source of the document. Moreover, claims 2, 12, and 22 have been amended to clarify that the delivery destinations (instead of the servers) include a document management server. Applicant submits that the present amendment obviates the § 112 rejection. No new matter has been introduced.

Art Rejection

Claims 1-3, 6-13, 16-23, and 26-32 were rejected under 35 U.S.C. § 103(a) as unpatentable over Eldridge (USP 6,397,261). Claims 4, 14, and 24 were rejected under § 103(a) as unpatentable over Eldridge in view of Wells (USP 5,999,601). Remaining claims 5, 15, and 25 were rejected under § 103(a) as unpatentable over Eldridge in view of Adamske (USP 6,615,234). Applicant submits that independent claims 1, 11, 21, 31, and 32 clearly distinguish over the applied references because these references would have disclosed or taught the claimed document delivery features.

Applicant previously explained that Eldridge's token-aware document delivery server 138 does not determine the delivery destination based on delivery setting and the external device that is the transmission source of the document, but rather based on the received token. In this respect, applicant explained that a token is not a transmission source of a document since it does not transmit or carry any document.

In response, the examiner asserts that Eldridge determines the delivery destination of a requested document based on the delivery setting made by the received token and an external device (such as a scanner 110) that is the transmission source of the document. Applicant submits that the examiner can no longer interpret the claims in the manner presented above by the examiner because the independent claims now recite determining a delivery destination of

the document based on the delivery settings and the one external device that is the transmission source the document (and not just any external device).

Eldridge does not disclose or teach storing the relationship between the external devices, any one of which can be the transmission source of the document, and delivery destinations. Moreover, Eldridge's token itself determines the destination of the requested document, and not based on any external device, even if the external device were to be the transmission source of the requested document. In Eldridge, the external device has no bearing on determining the destination requested by the token. That is, the external device, e.g., scanner 110, is merely used for capturing the documents for storage so that the documents can be later retrieved using tokens. Eldridge would not have taught determining the delivery destination of the token-based requested document based on the scanner 110, and thus would not have taught the claimed invention.

The examiner also continues to assert that the delivery server 138 would inherently send the document via appropriate delivery setting function based on the token. But Eldridge at best merely teaches delivering documents to servers based on the received tokens and not based on any stored document setting and the external device that is the source of the requested document. Accordingly, Eldridge further would not have taught the claimed invention. Neither Wells nor Adamske would have alleviated Eldridge's shortcomings.

Conclusion

Applicant submits that claims 1-32 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicant urges the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

ROSSI, KIMMS & McDOWELL LLP

1 SEPTEMBER 2007

DATE

/Lyle Kimms/

LYLE KIMMS

REG. NO. 34,079 (RULE 34, WHERE APPLICABLE)

P.O. Box 826
ASHBURN, VA 20146-0826
703-726-6020 (PHONE)
703-726-6024 (FAX)